



Commonwealth of Massachusetts

Disabled Persons Protection Commission

FISCAL YEAR 2014

DPPC ANNUAL REPORT

DPPC Mission Statement

“To protect adults with disabilities from the abusive acts or omissions of their caregivers through investigation, oversight, public awareness and prevention”

**Report Suspected Abuse of Persons
with Disabilities to the
DPPC 24-Hour Hotline
1-800-426-9009 VOICE
1-888-822-0350 TTY**

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Deval L. Patrick	Governor
Gail Varrasso	Chairperson
Yndia Lorick-Wilmot, PhD	Commissioner
Maurice Medoff	Commissioner
Nancy A. Alterio	Executive Director

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Hotline: 800-426-9009 Voice
888-822-0350 TTY

A Message from Nancy A. Alterio, DPPC Executive Director



Dear Reader:

We have a very special opportunity to consider the best path to a future of equality and prosperity for the Commonwealth, by giving all members of our communities, including adults with disabilities, the opportunity to live a life free from abuse and the protections they need to live and thrive in healthy environments. This opportunity depends on our ability to prevent, reduce and respond immediately to abuse and neglect committed against persons with disabilities. Unfortunately, abuse of adults with disabilities is a very serious problem and the statistics are staggering. In 2009, the Department of Justice (DOJ), Bureau of Justice Statistics, released a comprehensive report that detailed the incidence of crime against persons with disabilities, including:

- Persons with disabilities were victims of approximately 47,000 rapes, 79,000 robberies, 114,000 aggravated assaults and 476,000 simple assaults.

Persons with disabilities are particularly vulnerable to abuse and victimization due to their physical, intellectual and emotional challenges and dependence on others for basic needs. As staggering as these statistics are, the personal stories that are investigated by the Disabled Persons Protection Commission (DPPC) are even more shocking and overwhelming:

- A 31 year old individual with mental illness suffered generational sexual abuse resulting in self-injurious behaviors (cutting) and psychiatric hospitalizations.
- An individual with an intellectual disability, now 23 years of age, repeatedly beaten and sexually assaulted by her mother's boyfriend since the age of about twelve. The victim believes her mother knew what was going on but did nothing to save her.
- A woman with Huntington's disease (a neurodegenerative genetic disorder that affects muscle coordination and leads to cognitive decline and psychiatric problems) was physically and sexually assaulted by her husband. Her husband controlled her access in and out of the house by destroying her adaptive equipment and removing the ramp.
- Two women with intellectual disabilities were repeated sexually assaulted by their driver.
- In one day, three individuals with intellectual disabilities, who are described as non-verbal, presented with black eyes at a vendor agency.

Tens of thousands of additional stories of victimization have been reported to DPPC. Created by the Legislature in 1987 under M.G.L. c 19C, DPPC is charged with protecting adults with disabilities from the abusive acts or omissions of their caregivers through investigation, oversight, public awareness and prevention. DPPC is in the business of **saving lives** of persons with disabilities who are victims of abuse throughout the Commonwealth. DPPC cases are often highly complex and challenging. Persons with disabilities who are victims of abuse and neglect deserve a timely and effective response to minimize their trauma, identify necessary protective services and be provided with the opportunity to live a life free from abuse. As in the cases described above, these victims are real and they are often people who would not escape the abuse without DPPC's intervention 24-hours a day, seven days a week.

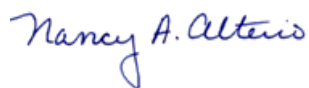
Historically DPPC has confronted the challenge of doing more with less. Despite the many serious and challenging cases, DPPC began fiscal years 2010 and 2011 with reductions in funding. To address the reductions, DPPC reduced its workforce from 32.27 to 28 staff. DPPC's budget and resources were further reduced in fiscal year 2013 requiring an additional layoff and reducing DPPC's staffing to 27.4. Most appreciatively, the legislature restored some of the agency's funding allowing DPPC to restore its staffing back to 28 in fiscal year 2014. The Commonwealth's ongoing fiscal challenges have resulted in decreases in DPPC staff and resources; while at the same time DPPC has experienced unprecedented increases in its caseloads. DPPC abuse reports have risen each year and the reports are currently rising at an alarming rate. Comparing Fiscal Year 2013 to Fiscal Year 2014, DPPC experienced a 13% increase in abuse reports through its 24-hour Hotline. Increases in abuse reports impact every facet of the agency. As a result of the increase in abuse reports, DPPC investigations increased by 5.7% in 2014. With the significant increases and overextended caseloads, it is not surprising that DPPC has more than 600 overdue investigations. Oversight Officers, who are responsible for overseeing the safety of victims, are now averaging almost 200 open cases.

In an effort to ensure fiscal, as well as mission responsibility, DPPC has continually restructured, consolidated and eliminated functions to allow for the continued protection of victims with disabilities. The dedicated staff of DPPC, in partnership with the investigative staff of the Department of Developmental Services (DDS), the Department of Mental Health (DMH) and the Massachusetts Rehabilitation Commission (MRC), persevered to address the unparalleled challenges throughout fiscal year 2014 and

- Responded to over 16,000 hotline calls;
- Completed 9,018 abuse reports, 6,547 informational and referral calls and 739 death reports;
- Assigned over 2,600 investigations;
- Completed almost 1,800 investigations;
- Completed 89 petitions for review;
- Responded to 401 record requests and/or record demands;
- Oversaw protective services to over 3,000 individuals with disabilities;
- Trained 1,202 direct care staff, 727 law enforcement, 195 medical personnel; and
- Maintained operations 24 hours a day, seven days a week.

Staff's commitment to DPPC cases is apparent and noteworthy. Their devoted effort is truly making a difference in the lives of victims with disabilities. I encourage you to take the time to review DPPC's Annual Report for Fiscal Year 2014 as it will provide you with more information about the activities of the staff involved in responding to abuses committed against persons with disabilities.

Sincerely,



Nancy A. Alterio
Executive Director

Administration and Finance

The DPPC's Administration and Finance (A&F) Unit is primarily responsible for increasing the efficiency of office operations, thereby enhancing its delivery of services while ensuring a high level of transparency and accountability throughout the agency's financial operations.

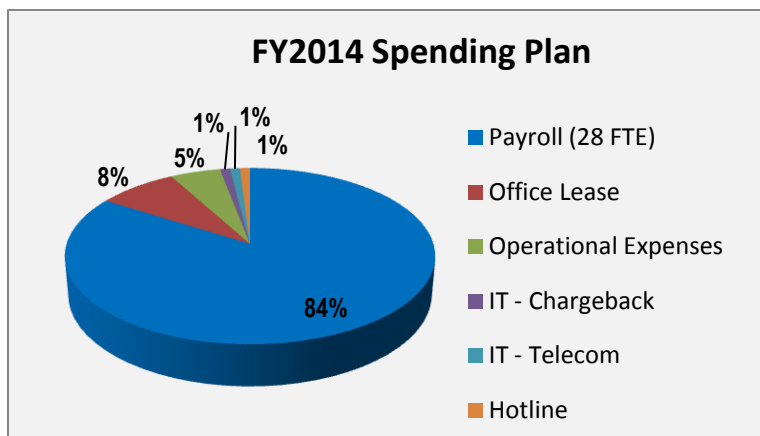
DPPC develops and submits annual budgets and spending plans to the Governor's Office and Legislature to allow DPPC to provide an adequate level of services to receive reports, investigate abuse of persons with disabilities and to ensure the provision of protective services. To guarantee fiscal accountability, monthly and annual fiscal reports are generated, reconciled and provided internally for the Executive Director and the Commissioners.



A&F Unit from left: Nancy Alterio (Executive Director), Audrey Drinan, John Brown (Manager) and Jennifer Edwards-Hawkins

A system of checks and balances is in place for internal control and fraud prevention purposes. DPPC's Internal Control Plan (ICP) identifies risks of fraud and addresses ways in which to mitigate those risks. The plan is reviewed at least annually and more often as operations change or other risks are identified during the course of conducting business. Upon initial completion and approval, DPPC's ICP was used by the Office of the State Comptroller as a template for other agencies seeking guidance.

Staff payroll and personnel matters are also managed within the A&F Unit. Mandatory staff enhancement in-services and training programs are provided for staff's professional and personal development. Annual in-services include diversity training, disability awareness, time and stress management, team-building exercises and other informative Human Resources Division (HRD) sponsored topics which may include insurance, retirement or general benefits information.



DPPC has proven time and time again that it is an effective and efficient organization. Every dollar received is greatly appreciated, every dollar helps in the protection of persons with disabilities who are victims of abuse and neglect, and every dollar helps to **save lives**. As reflected in the pie chart above, 92% of DPPC's appropriation is dedicated to staffing and lease space. Another 5% is designated to operational expenses such as technology supports, staff travel, copier lease and maintenance agreements, postage and office supplies with 3% remaining to cover the costs of DPPC's 24-hour hotline, telephone system and ITD chargeback.

DPPC Hotline

The Disabled Persons Protection Commission (DPPC) operates a 24-hour Hotline to which citizens of the Commonwealth can report incidents of suspected abuse involving adults with disabilities by dialing 1-800-426-9009 (voice) or 1-888-822-0350 (TTY). Mandated reporters must also file a written report within 48 hours of the oral report. Deaths are also reported to DPPC's Hotline.

The DPPC Hotline and the Intake/Oversight Unit staff who operate it are a vital part of DPPC's efforts to protect adults with disabilities, who are dependent upon others, from abuse and neglect.

Three DPPC Intake Operators staff the Hotline between 9:00 a.m. and 5:00 p.m. on business days. An after-hours vendor contracted, trained and monitored by DPPC staff, answers the Hotline after 5:00 p.m. and before 9:00 a.m. on business days. The vendor also answers the Hotline on weekends and holidays. During the time that the after-hours vendor answers the Hotline, there are DPPC staff members readily available to manage emergency or complicated situations. Bilingual (Spanish – English) Intake Operators are available to take abuse reports, and all staff members are trained to communicate via TTY and to utilize Verizon's Telecommunication Relay Service.

Staff members working on the DPPC Hotline are responsible for receiving, documenting and evaluating information provided by reporters. DPPC management reviews each report of abuse to determine the response needed to ensure the safety of the individuals involved. Reports are also evaluated to determine whether the situation meets the statutory criteria that establish jurisdiction under M.G.L. c. 19C.

For DPPC to investigate abuse committed against persons with disabilities, the statute



Intake Unit from left: Heidi Cresta (Manager), Greg Bolger, Berkys Kazimierczak and Ann Murray (Manager). (Julie Walden not pictured)

requires that the victim of the alleged abuse must be:

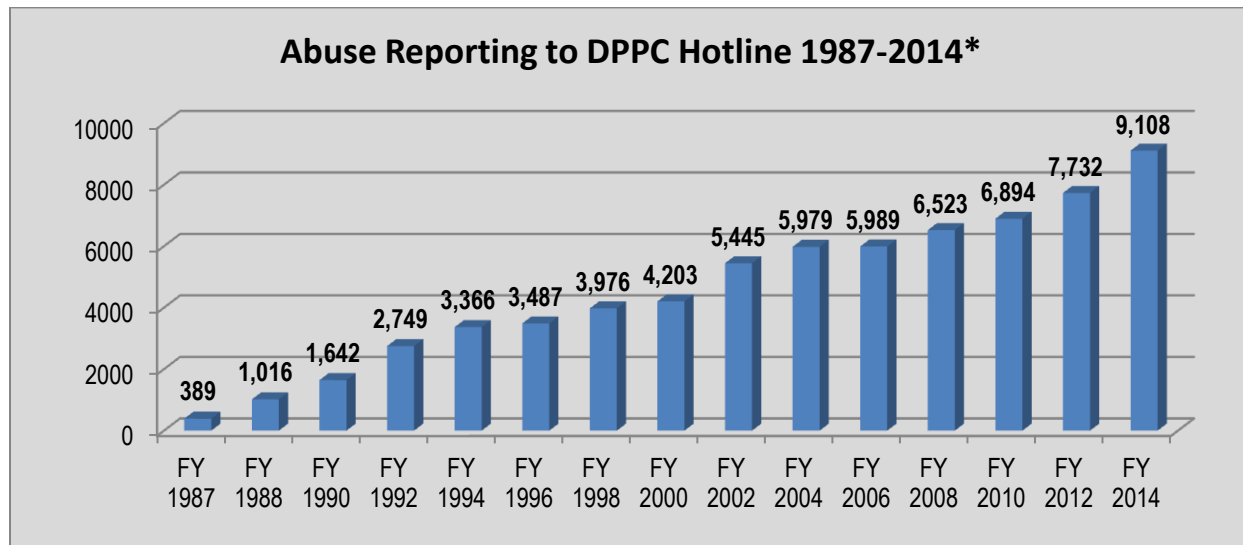
- Between the ages of 18 and 59 years;
- Disabled by means of mental illness, developmental/intellectual disability or physical impairment; and
- Require the assistance of a caregiver to accomplish daily living needs as a result of the disability.

To establish jurisdiction, the Hotline staff must also examine the nature of the incident. DPPC's enabling statute, **M.G.L. c. 19C, and the DPPC regulations, 118 CMR, require that the incident must:**

- Include an act or omission by a caregiver and
- Result in a serious physical or emotional injury.

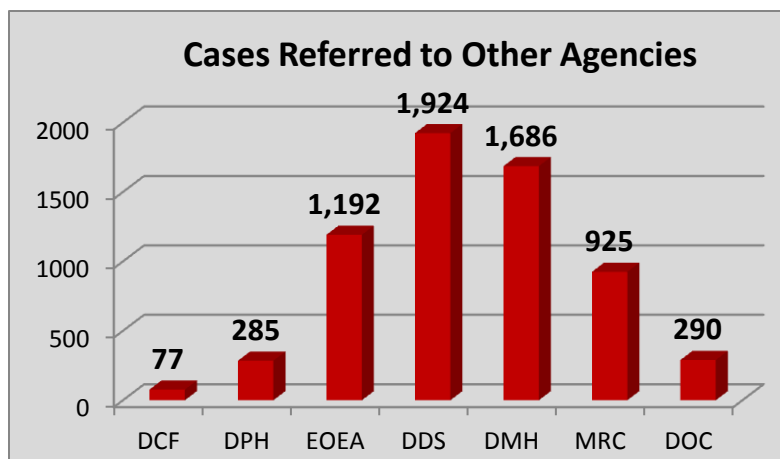
Information gathered by Hotline staff is entered into the DPPC database. The information is available for review each time a subsequent report is made involving a particular individual, alleged abuser or program. All relevant information is documented on a DPPC Intake form and is forwarded to an investigator in situations that meet DPPC's jurisdictional criteria.

During fiscal year 2014, the DPPC Hotline experienced an increase of 13% in abuse reports. The graph below depicts the historical increase in reporting dating back to DPPC's inception in 1987.



**Does not include death reports and information and referral calls.*

If a reported situation does not meet the criteria to establish jurisdiction under M.G.L. c. 19C, a copy of the DPPC Intake form is forwarded for review and action to the service agency appropriate to the individual's age or disability. The graph on the right indicates that in FY2014 there were 6,383 reports that did not fall under DPPC jurisdiction, and illustrates to which state agencies they were referred.



A member of the State Police Detective Unit (SPDU) assigned to the DPPC reviews every report made to the DPPC Hotline. The review by the SPDU is to determine whether the information suggests a crime may have occurred and whether a criminal investigation is necessary. Suspected criminal activity is reported by the SPDU to the appropriate District Attorney's office for their review and action as needed.

Death Reports

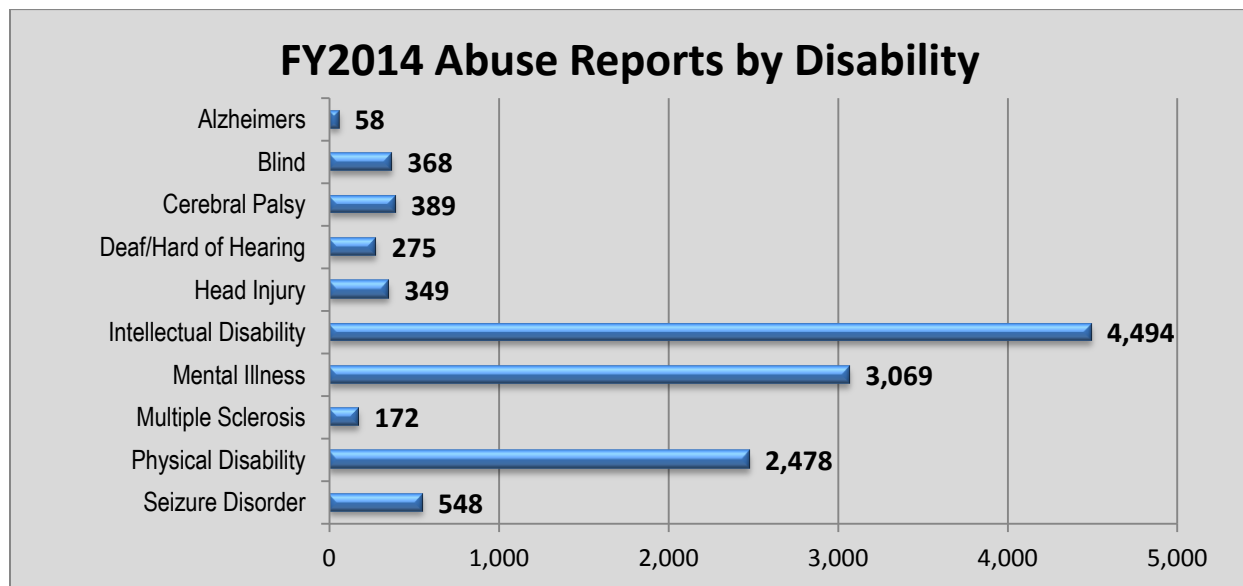
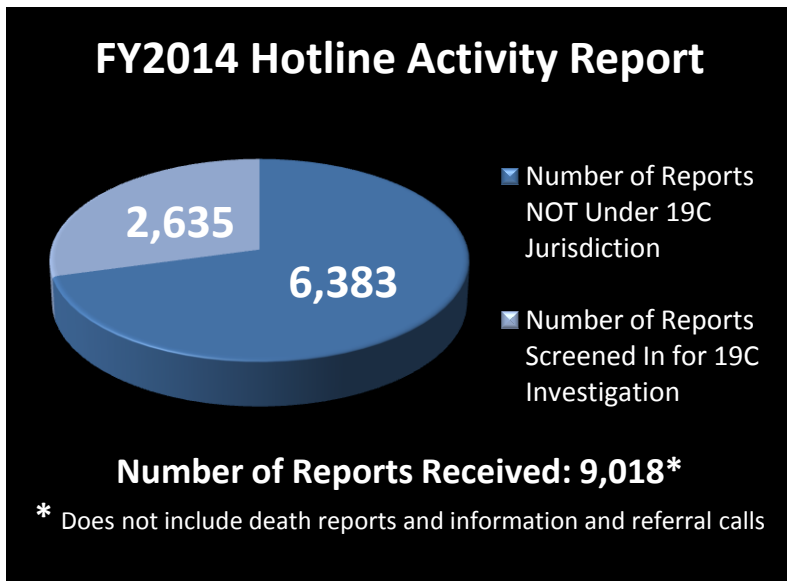
The DPPC statute requires that any caregiver that is a state agency or subdivision of the Commonwealth or any private agency contracting with the Commonwealth shall immediately orally notify the DPPC and local law enforcement of the death of any person under their care. A written report of such deaths must also be forwarded to DPPC within 24 hours of the death. This information is assessed to determine whether the cause of death may be related to abuse, and if so, an investigation is conducted. Each report of a death is entered into a database specifically for this purpose.

The goal of the DPPC Hotline is to provide every citizen of the Commonwealth a resource to which they can report suspected abuse of persons with disabilities. DPPC trains its staff to be efficient, effective and courteous so that reporters can feel positive about their decision to report what they suspect to be abuse or neglect.

The graph on the right illustrates that during FY2014 the DPPC Hotline received 9,018 reports, not including death reports and information and referral calls, with 2,635 of these reports screened in for investigation.

Each month the DPPC Hotline received an average of 752 abuse and death reports and answered questions and provided information and referral services to an additional 545 callers.

The graph below categorizes abuse reports according to the person's type of disability and illustrates that some individuals have more than one type of disability.



Hotline Unit FY2014 Update

During FY2014 the DPPC Hotline Unit:

- Received information and entered intakes on 9,018 reports of abuse;
- Received 6,547 Information and Referral calls; and
- Received information and entered death intakes on 739 reports of death.

Mandated Reporting

The DPPC receives reports of abuse from various sources. Many reporters of abuse are mandated by law to make reports of suspected abuse to the DPPC.

What is a Mandated Reporter?

Mandated reporters are persons who, as a result of their profession, are more likely to be aware of abuse or neglect of persons with disabilities. Mandated reporters are required by law to report cases of suspected abuse to DPPC when they have a suspicion that a person with a disability is being abused or neglected. Other persons who are not mandated to report may choose to file reports of suspected abuse.

Who are Mandated Reporters?

- Police Officers
- Probation Officers
- Medical Personnel
- Medical Examiners
- Dentists
- Psychologists
- Social Workers
- Family Counselors
- Foster Parents
- Educational Administrators
- Public and Private School Teachers
- Guidance Counselors
- Day Care Workers
- Employees of private agencies providing services to people with disabilities
- Employees of state agencies in the Executive Office of Health and Human Services

What is Reportable?

The standard for reporting suspected abuse and neglect is “reasonable cause to believe” which means that mandated reporters need only a "**mere suspicion**" that abuse or neglect was committed against a person with a disability.

Mandated reporters are also required to report to the DPPC all cases in which an individual with a disability has died, regardless of whether or not abuse or neglect is suspected.

Protection for Mandated Reporters

Mandated reporters are immune from civil or criminal liability as a result of filing a report of alleged abuse of a person with a disability. Non-mandated reporters are also protected provided the report was made in good faith. If a mandated reporter is retaliated against by their employer for filing an alleged report of abuse, or by participating in the DPPC investigation, DPPC will conduct an investigation into the retaliation. Such retaliation is a crime and is punishable by up to a \$1,000.00 fine, or up to one (1) year in jail, or both.

Consequences for Not Reporting

The failure to report can result in severe consequences for the alleged victim, other potential victims and the mandated reporter. Victims of abuse and neglect are at increased risk of further abuse if abuse goes unreported. The frequency and severity of abuse and neglect are likely to increase over time if no intervention occurs. A failure to intervene by not reporting will likely result in other individuals being abused and neglected. In Massachusetts, mandated reporters can be fined up to \$1,000 for failure to report incidents of suspected abuse and neglect of individuals with disabilities.

DPPC Investigations

Reports of alleged abuse determined to be within the jurisdiction of DPPC are immediately assigned to an Adult Protective Service (APS) investigator and a DPPC oversight officer. The APS investigator may be one of DPPC's five investigators or an investigator from the Department of Developmental Services (DDS), Department of Mental Health (DMH) or the Massachusetts Rehabilitation Commission (MRC).

The DPPC Investigation Unit and the Investigation Units of DDS, DMH and MRC conduct abuse investigations under the authority of M.G.L. c. 19C. The DPPC regulations, 118 CMR, further clarify and operationalize the criteria established by the statute.

The most important goal of any DPPC investigation is to provide protection to anyone who has been, or is, at risk of abuse or neglect by his or her caregiver. To accomplish this protection, the DPPC relies on the services of other state agencies like DDS, DMH and MRC. Working collaboratively with staff from these agencies, DPPC is able to develop effective protection plans for people with a range of disabilities. During the course of the investigation, APS investigators also look for systemic issues that may contribute or lead to abuse.

APS investigators conduct civil, not criminal, investigations. They work in collaboration with DPPC oversight officers, service providers, law enforcement and others to ensure that victims of abuse are protected. Investigators collect information by interviewing witnesses, reviewing relevant documents and collecting all of the information necessary to develop an



DPPC APS Investigators from left: Karen Manson, Genine Vasquez, Seana Miller (Manager) and David Viens, (Michelle McCue and Alina Gomes not pictured).

appropriate course of action to protect victims of abuse.

Based upon the collected information, the investigator completes an investigation report. In the report, the investigator documents his or her activities and presents conclusions based on the facts. When the facts indicate that an abusive situation exists, the investigator must include specific recommendations in the investigation report to resolve any circumstances that create risk for adults with disabilities who are the subject of the investigation.

Investigations Unit FY2014 Update

- APS investigators investigated allegations of physical, emotional and sexual abuse and neglect of alleged victims with varying disabilities in private and public settings;
- APS investigators of DPPC, DDS, DMH and MRC were assigned 2,635 investigations of which 286 were substantiated, 1,712 were unsubstantiated and 637 were still pending as of June 30, 2014;
- APS investigators completed almost 1,800 investigations;
- As of June 2014, 699 DPPC 19C APS investigations were overdue;

- APS investigators conducted 22 death investigations; 11 reports were unsubstantiated, 2 (two) reports were substantiated and 9 reports are pending.
- APS investigators from DPPC conducted 27 investigations involving the Department of Corrections (DOC);
- APS investigators from DPPC conducted one retaliation investigation;
- APS investigators from DPPC, DDS,

DMH and MRC attended the second statewide conference 'From Crime Scene to Sentencing and Beyond: Addressing Crimes Against Persons with Disabilities and Elders' on May 20, 2014. The conference was sponsored by DDS Commissioner Elin M. Howe, Essex District Attorney Jonathon W. Blodgett, Middlesex District Attorney Marian T. Ryan and Building Partnerships Initiative.

DPPC Oversight Unit



*DPPC Oversight Unit
from left:
Ann Murray (Manager),
Ada Diaz,
Kerry Joyce,
Lisa Bukow,
Drew Zamagni,
Kathy Bodrero,
Kenneath Okoro and
Heidi Cresta (Manager).*

The DPPC Oversight Unit oversaw approximately 3,500 cases during FY2014. These cases are monitored according to the statute and regulations. The type of monitoring/oversight necessary for each of the cases is dependent on the nature of the case, and is determined on a case-by-case basis. The Oversight Unit also works in collaboration with the State Police Detective Unit (SPDU) assigned to the DPPC.

The overall goal of the Oversight Unit is to ensure that individuals who are identified as victims or are at risk of abuse or neglect are protected. The oversight officer is available to the investigator, service providers and law enforcement as a resource, supplementing their work and providing another perspective. An oversight officer may at times accompany an investigator on site visits or interviews during the course of an investigation.

The DPPC Oversight Unit is primarily responsible for the following:

- Assessing risk to victims throughout the investigative process;
- Backing up DPPC's Hotline staff by answering the 24-hour abuse Hotline, collecting and evaluating information from reporters and making decisions regarding the actions necessary;
- Maintaining an extensive database of reports of abuse and deaths;
- Reviewing completed APS 19C investigation reports for compliance with DPPC's governing statute and regulations;

- Evaluating recommendations and protective service actions made during and as a result of an investigation; and
- Ensuring that appropriate and adequate protective service measures are put in place.

Oversight Unit FY2014 Update

During Fiscal Year 2014, DPPC Oversight Officers:

- Were assigned a total of 2,635 new cases to monitor;
- Reviewed 1,780 investigation reports;
- Reviewed 1,483 protective service plans;
- Closed 2,432 cases;
- Facilitated and monitored the appointment of guardians on five protective service cases; and
- Have 1,009 active cases, as of June 2014.

DPPC Outreach and Prevention

DPPC defines prevention as: *“Any action taken to prevent abuse or neglect from occurring ...or, any action taken to protect the individual from risk of further abuse, once it has already occurred.”* DPPC is committed to addressing the problem of abuse and neglect as it relates to persons with disabilities. To accomplish this, DPPC created an Abuse Prevention Unit and included abuse prevention as part of the agency mission. DPPC uses education and awareness as primary tools in its efforts to stop abuse. However, abuse prevention encompasses a wide range of activities.



From left: Jennifer Edwards-Hawkins (Program Coordinator) and Susan Love (Abuse Prevention and Outreach Coordinator)

Some of DPPC’s ongoing prevention activities include:

- Curricula development and trainings designed to educate law enforcement, mandated reporters, caregivers, persons with disabilities and other professionals regarding the identification and reporting of abuse of persons with disabilities;
- Providing consultation or information to other agencies interested in the development of abuse prevention programs;
- Collaboration with other agencies to develop presentations, programs and services related to abuse prevention and improving the quality of life of persons with disabilities;
- Development and distribution of educational materials to introduce DPPC operations, the role of mandated reporters, and indicators of abuse and neglect;
- Collecting and analyzing data from DPPC’s database, which tracks over 800 pieces of information on each report to the 24-Hour Hotline. Data is provided to service providing agencies, upon request, to assist them in identifying and correcting trends in their programs that may lead to abuse and neglect; and
- Participation in local, statewide and national conferences to increase knowledge and share information related to the protection of persons with disabilities.

Outreach and Prevention FY2014 Update

The following trainings took place to educate persons with disabilities, mandated reporters and others on recognizing, reporting and responding to abuse and crimes committed against persons with disabilities:

- Fifty-two *Awareness and Action* trainings were conducted, resulting in 761 individuals being trained.
- Eight one-day trainings were held for new recruits within the police academy resulting in 395 recruits being trained.
- Seven other law enforcement trainings were conducted, resulting in 332 officers being trained.
- An all-day statewide conference, sponsored by Building Partnerships Initiative in collaboration with Commissioner Elin M. Howe, Essex District Attorney Jonathan W. Blodgett and Middlesex District Attorney Marian T. Ryan, was held for law enforcement, prosecutors, adult protective service investigators, victim witness advocates and medical personnel in Framingham, MA, with over 300 in attendance.
- Six trainings were held to educate 195 medical personnel.
- Two Protect, Report, Preserve trainings sponsored by Building Partnerships Initiative were held at the Log Cabin, Holyoke and Bentley University, Waltham with 350 attendees.
- Thirteen local trainings were conducted to educate 1,202 human service providers.
- An additional 11 trainings were held at different venues, with 420 staff from various agencies being trained.
- DPPC participated in and provided outreach materials at seven conferences and one legislative event with over 3,000 in attendance.
- Four presentations were conducted for other states with 254 people trained. These included NAPSA Conference, Minneapolis/ St. Paul, MS; Arc of Aurora, CO; Monmouth County Police, NJ; and APS Providers from Philadelphia, PA.
- Nineteen agencies/organizations from fourteen states contacted DPPC for assistance with research projects, outreach materials and training curricula.

IT Unit



Rick Robbins
(IT Coordinator)

Considering the small number of staff and large responsibility the DPPC has, it would be impossible to accomplish all the things that are achieved without the contributions of DPPC's Information Technology Unit. The DPPC relies heavily on technology and consequently the DPPC IT Unit is a vital part of every activity. Every DPPC unit depends on the IT Unit to develop, modify and make available the most current and innovative technology; and by doing this the DPPC IT Unit helps to make the agency as efficient and effective as possible.

The DPPC Abuse Database is a one-of-a-kind information management system developed at DPPC and primarily used to organize, store and report information about every abuse report, investigation, protective service action and oversight activity accomplished by DPPC staff. However, since its inception, the database has evolved into an invaluable source of information not only about individual situations, but also about statewide trends regarding abuse of adults with disabilities. State agencies, media outlets, service providers and a host of others, request and receive information from the DPPC database throughout the year. This information is utilized for news articles, service planning and court proceedings, to name just some of the uses.

Document Retention Unit

The DPPC Document Retention Unit is responsible for maintaining the integrity and security of all documents created by and in the possession of the DPPC. Most of these documents are stored in one of the two DPPC databases. The Document Retention Unit is an essential piece in DPPC's successful efforts to ensure the protection of personally identifying information as required by Executive Order 504 issued by Governor Patrick in September of 2008.



Document Retention Unit from the left: Michelle Kahler, Paula Mather, Patty Collings and Emil DeRiggi (Deputy Executive Director)

The Document Retention Unit, in conjunction with the DPPC Legal Unit, is responsible for preparing and processing the documents needed to respond to the hundreds of requests for documents and information made to the DPPC each year. The Document Retention Unit also processes the documents necessary to comply with DPPC's statutory obligation to notify all persons who have been determined to have committed abuse against a person with a disability at the completion of an investigation. There are hundreds of these substantiated investigations each year for which this type of notification must be made. Another activity of the Document Retention Unit is to work with the DPPC Legal Unit to track, process and record the documents related to the hundreds of Petitions for Review that are filed each year with the DPPC.

Although most of the work of the DPPC Document Retention Unit is done behind the scenes, without the dedication, organization and commitment of the staff of this unit, the DPPC would be unable to comply with the many demands and requirements around the security of documents and information in its possession.

Document Retention Unit FY2014 Update

During Fiscal Year 2014, the Document Retention Unit:

- Processed 89 Petitions;
- Completed 401 Record Requests;
- Made 20 Referrals; and
- Notified 344 abusers of the outcome of the investigation finding and their right to petition.

DPPC Legal Unit

The DPPC Legal Unit provides legal advice and guidance on a variety of matters pertaining to the core functions of DPPC. This includes providing general advice and support to staff investigators from DPPC, Department of Developmental Services (DDS), Department of Mental Health (DMH) and Massachusetts Rehabilitation Commission (MRC) who conduct investigations on behalf of DPPC.



*Legal Unit from the left:
Gail Quinn, Acting General Counsel
and Julie Howley Westwater, Deputy
General Counsel.*

Specifically, DPPC Legal Counsel provide:

- Information and assistance to other state agencies regarding protective services and guardianship; and
- Advice, support and training with regard to investigation issues and legal interpretation of the terms and mandates contained in M.G.L. c. 19C and 118 CMR.

DPPC attorneys work in coordination with legal counsel from DDS, DMH, MRC and other agencies, including District Attorneys' offices (DA), the Office of the Attorney General (AG), Executive Office of Elder Affairs (EOEA), Department of Children and Families (DCF), Department of Public Health (DPH), Division of Professional Licensure (DPL), Department of Corrections (DOC), Medical Examiner's Office (ME) and others. When requested, DPPC legal staff provide information and assistance to other agencies as justice requires.

The DPPC Legal Unit also provides information to the public about DPPC's functions and mandate and handles record requests and court interventions when necessary. In addition, the Legal Unit performs the following specific functions within DPPC:

- Obtains judicial protective orders when an alleged victim of abuse is at immediate risk of harm and is not able to consent to the provision of protective services due to a mental or physical impairment;
- Secures access warrants when law enforcement and/or DPPC civil investigators are unreasonably denied access to an alleged victim of abuse;
- Responds to reports of mandated reporters' failure to report abuse as required by M.G.L. c. 19C and other reporting issues;
- Conducts legal reviews of the findings and conclusions of DPPC Investigation Reports pursuant to 118 CMR 14.00;
- Acts as the DPPC's Keeper of Records and ensures that DPPC responses to written requests for DPPC records are compliant with all statutory requirements;
- Responds to formal legal demands for statutorily protected records, pursuant to court process or court order; and
- Assists Executive Director in advancing and advocating for legislation implicating or affecting DPPC's ability to efficiently perform its core functions.

DPPC LEGAL UNIT UPDATE 2014

- Completed 89 petitions, out of 387 petitions pending review;
- Completed 401 records requests;
- Completed 20 referrals; and
- Notified 344 abusers of the outcome of the investigation finding and their right to petition.

DPPC State Police Detective Unit



SPDU from left:

Sergeant Timothy Grant and Trooper Seth Newman

The State Police Detective Unit (SPDU) assigned to the DPPC is comprised of a Sergeant and four troopers and became fully operational on May 1, 1998. The SPDU provides a statewide mechanism to ensure an effective and rapid response to potential criminal complaints of abuse and neglect against persons with disabilities by coordinating the efforts of adult protective services (APS), human services, state and local law enforcement and the Commonwealth's District Attorneys' Offices.

The SPDU assigned to DPPC reviews 100% of all abuse reports to DPPC's 24-Hour Hotline to determine which ones constitute criminal activity. Reports identified as criminal are referred to the applicable District Attorney's office. As defined in each Memorandum of Understanding (MOU) established in each of the eleven district attorney jurisdictions, the SPDU assigned to DPPC, the state police liaisons within each of the eleven District Attorneys' Offices and the municipal police are assigned to investigate crimes against persons with disabilities as determined by the District Attorney.

The SPDU at DPPC tracks the criminal investigation from intake to indictment on a statewide basis and analyzes the types of crimes involved in the abuse reports received by the DPPC Hotline.

The information tracked includes, but is not limited to, the type of criminal activity, location of criminal activity, investigating officer and criminal charges brought.

Within Fiscal Year 2014, the SPDU reviewed 9,018 allegations of abuse. Of the 9,018 reports reviewed, 1,640 were referred to the District Attorneys for assignment of the criminal investigation.

SPDU and DPPC Welcome Trooper Scott Flaherty



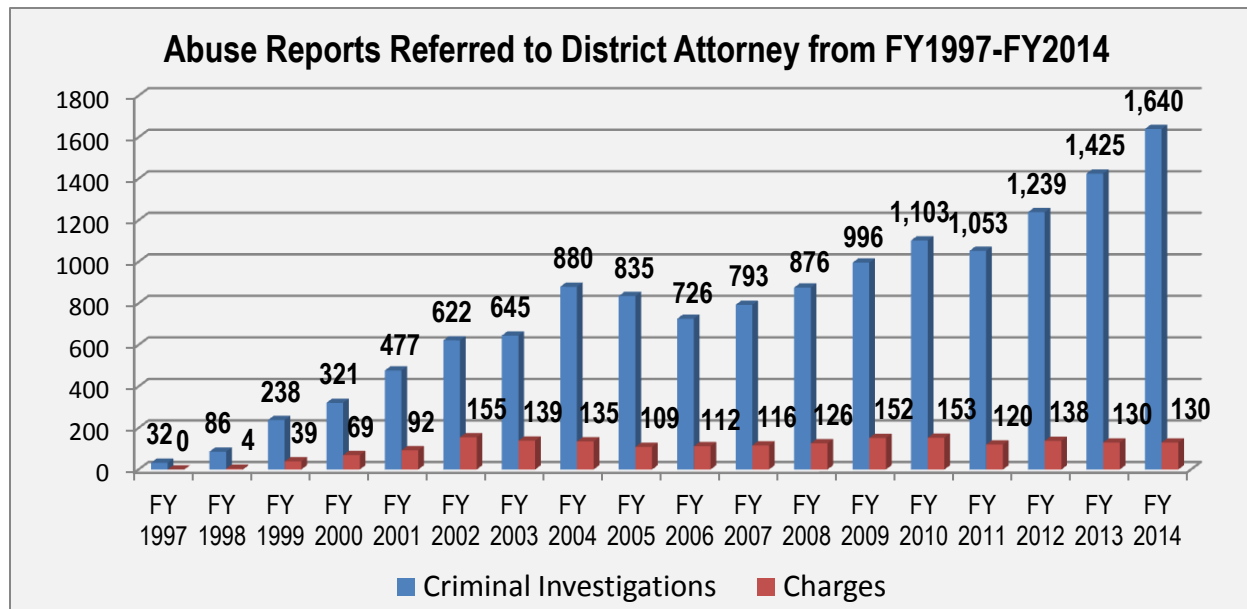
Trooper Scott Flaherty joined the SPDU/DPPC in October of 2013, and immediately hit the ground running. Since being assigned to the unit, Trooper Flaherty

has been the lead investigator on over 25 cases, 11 of which resulted in criminal charges being filed.

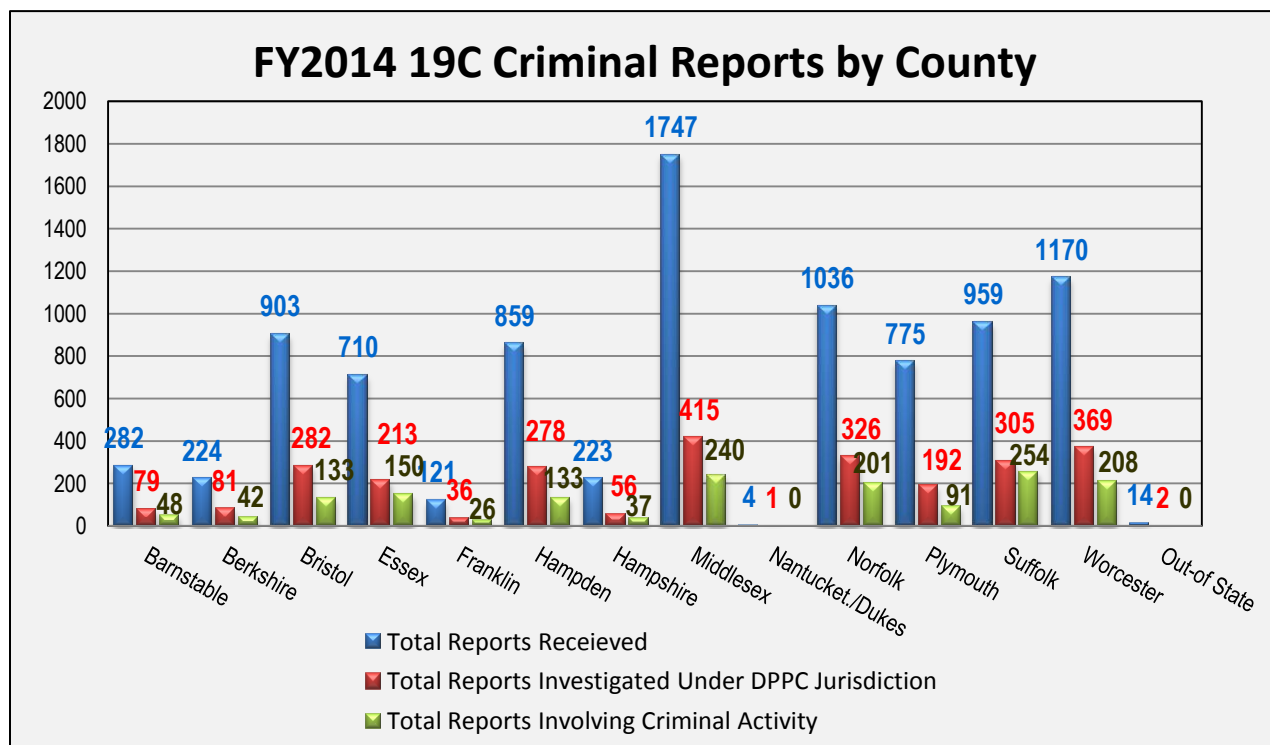
Trooper Flaherty has been with the State Police for 12 years, and while on the State Police has served in many capacities. He initially worked as a road Trooper, and then joined the Bristol County District Attorney's office, where he was a homicide detective. Trooper Flaherty has been a great asset to the unit since joining the team.

The SPDU/DPPC said farewell to Troopers Kristan Peachey, Julie Sabota and Lisa Washington-Brown who retired after many years of distinguished service on the State Police.

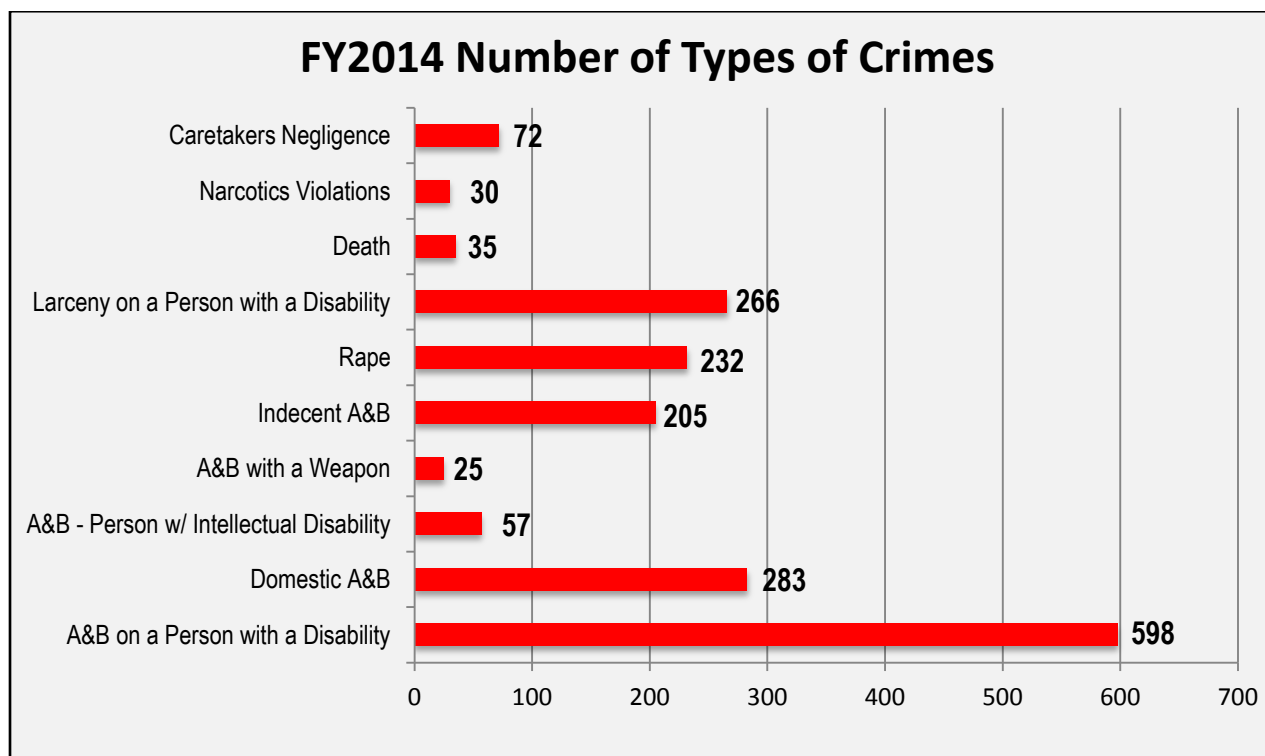
The following graph shows the number of reports referred to the District Attorney for criminal investigation and the number of criminal charges from fiscal year 1997 to 2014. In 1997 there were 32 reports referred with zero charges and in 2014 there were 1,640 abuse reports referred with 130 charges. Please note the criminal charges is a fluid number. As additional charges are taken, the number will rise to reflect the charges.



The graph below is a breakdown by county of the number of reports received by the DPPC Hotline, reports meeting the jurisdiction for 19C investigation and number of reports referred to the District Attorney for criminal investigation.



The SPDU assigned to DPPC tracks the types of crimes involved in the abuse reports received by the DPPC Hotline. The following graph presents the types of criminal activity reported during Fiscal Year 2014.



The SPDU tracks incidents of domestic violence involving persons with disabilities. Domestic violence is abuse that often takes place where the person lives. Domestic violence can be any type of abuse including sexual assault and rape, emotional, psychological or financial. Domestic violence involves family and household members who are or were married, living together, related by blood, parents of a common child or involved in a substantive dating relationship.

During Fiscal Year 2014, it was determined that 283 reports made to the DPPC Hotline involved domestic violence abuse. These reports require the State Police Detective Unit to notify law enforcement immediately to ensure the safety of the individuals

involved and assist in the issuance of restraining orders and criminal prosecution of offenders if warranted.

As well as actively investigating criminal complaints committed against persons with disabilities, the SPDU continues to be involved in training agency staff, law enforcement and other professionals. Training is provided on recognizing and reporting abuse and on what to do and what not to do when abuse or a crime committed against a person with a disability is suspected. Training of recruits and seasoned officers throughout the Commonwealth continues to be provided at the request of the Municipal Police Training Committee and the State Police Academy.

Building Partnerships Initiative (BPI) Statewide Conference 2014

The second statewide conference, 'From Crime Scene to Sentencing and Beyond: Addressing Crimes Against Persons with Disabilities and Elders', was held as scheduled on May 20, 2014 at the Sheraton Framingham Hotel and Conference Center in Framingham. The training was sponsored by Building Partnerships for the Protection of Persons with Disabilities Initiative in collaboration with Department of Developmental Services Commissioner Elin M. Howe, Essex District Attorney Jonathan W. Blodgett BPI and Middlesex District Attorney Marian T. Ryan. A conference planning committee was formed who planned and prepared for the conference by identifying workshop topics, securing presenters and keynote speakers, tracking registrations, developing the program, printing the nametags, identifying IT needs, distributing workshop handouts and manning the registration table. About 300 people from a variety of disciplines including local and state police, prosecutors, adult protective service investigators, victim witness advocates and medical staff were in attendance.

Keynote speakers included Keith Jones, President and CEO of SoulTouchin' Experiences; Elizabeth Loewy, Chief of Elder Abuse Unit, Special Victims/Special Prosecutions Bureau, New York County District Attorney's Office and Paul Greenwood, Deputy District Attorney, Head of Elder Abuse Unit, San Diego District Attorney's Office. Workshop topics included Walking on Eggshells: Abuse in later Life; Understanding Brain Injury and Interviewing People with Brain Injury; Interviewing Alleged Abusers; Autism: Real Like Challenges- Real Life Solutions; Case Studies in Financial Crimes Against Elders and Persons with Disabilities;

Establishing the Competency of a Victim or Witness in the Courtroom; What Do You Want to Know About Interviewing Deaf and Hard of Hearing Individuals?; Partnerships and Police Training: Improving Access to Treatment and Enhancing Public Safety.

Award Recipients

The **BPI Team Award** was presented to the following individuals for their collaborative team response: James Gubitose, Assistant District Attorney, Essex District Attorney's Office, Amy Snow, Victim Witness Advocate, Essex District Attorney's Office, Trooper Joshua Ulrich, Essex District Attorney's Office and Heather Mooskian, Investigator, Department of Developmental Services (DDS).

Building Partnerships Initiative recognized the following recipients for their outstanding and dedicated service to persons with disabilities and elders: Janet Auger, Senior Investigator, Department of Developmental Services (DDS), Detective Jim Auld, Waltham Police Department, Lisa Bukow, Oversight Officer, Disabled Persons Protection Commission (DPPC), Rachel Carroca, Protective Services Worker, Elder Services of Merrimack Valley, Inc., Sabrina Cazeau-Class, Director Protective Services, Massachusetts Rehabilitation Commission (MRC), Officer Ryan Columbus, Tewksbury Police Department, Alberta DePesa, Victim Witness Advocate, Norfolk District Attorney's Office, Dennis Griffin, Investigations Manager, Department of Mental Health (DMH), Casey Groff, Assistant Attorney General, Medicaid Fraud Division, Office of Attorney General (AGO), Judith Lyons, Assistant District Attorney, Chief of Elders and Persons with Disabilities Unit, Suffolk County District Attorney's Office, Officer Israul Marrero,



Boston Police Department, Trooper Seth Newman, State Police Detective Unit, Disabled Persons Protection Commission, Joan O'Brien, Assistant District Attorney, Chief of Elders and Persons with Disabilities Unit, Hampden District Attorney's Office,

Lori Riccio, Victim Witness Advocate, Middlesex District Attorney's Office, Leslie Salach, MA/DPH Sexual Assault Nurse Examiner's Program (SANE) and Detective Patricia Sullivan, Medford Police Department.

2014 Pride in Performance Award Winner Lisa Bukow, Oversight Unit



Lisa is one of DPPC's most experienced Oversight staff. Given Lisa's experience, attention to detail and her tenacity, she is assigned the most difficult, challenging, high risk and high profile cases

that come through DPPC's 24-hour abuse reporting hotline. With the ever increasing oversight caseloads, it is imperative that DPPC has someone with such skills and experience to properly prioritize cases and keep victims of abuse safe from further harm.

In her role as the Oversight Officer, Lisa is assigned the guardianship cases and is a tremendous asset to the Legal Unit and the protective service agencies. She has vast experience in the area of guardianship and is highly regarded by her co-workers and fellow professionals. Lisa has many

contacts with the various investigating agencies and is able to effectively negotiate the necessary protective services on behalf of victims with disabilities, especially the high risk cases. Despite the significant increase in her workload, Lisa continues to demonstrate attention to detail with her cases which is critical to minimize risk. Through Lisa's leadership and initiative, she developed a process to digitize and electronically transfer investigation reports to the other investigating agencies whereby eliminating the need to fax and greatly improving the efficiency of the Intake/Oversight Units.

Lisa is extremely well deserving of this award. She is highly committed to the mission of DPPC and passionate in her work as Oversight Officer. With the volume of cases assigned to Lisa, her experience and commitment it vital.

Retirement of Gail Quinn, Acting General Counsel



Acting General Counsel, Gail Quinn, retired from the Disabled Persons Protection Commission (DPPC) on October 18, 2013 after 14 years of service. Gail was initially hired in April of 1999 as a Deputy General Counsel and was instrumental in moving DPPC forward long before assuming the responsibility of Acting General Counsel.

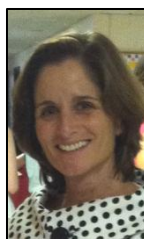
Gail was a trusted, valued and essential member of the DPPC since day one. She consistently made herself available to everyone inside and outside the agency. Gail's accomplishments are too many to list, but include formulating advisory memorandums, developing DPPC's legal intern program, drafting and revising policies and procedures, researching case law, developing written testimony, revising agency regulations, analyzing and consistently applying the principles of G.L.c.19C and 118 CMR, providing information to the public, representing DPPC before administrative agencies, reorganizing and enhancing the legal functions including how the agency responds to record demands, petitions and most importantly, protective orders.

Aside from always being available to advise, assist and guide others, Gail will likely be most remembered for the extraordinary way she represented DPPC before the courts ensuring that abuse victims with disabilities received the necessary protections to live a life free from abuse and neglect. Gail has always been enormously dedicated to the protection of persons with disabilities and demonstrated such immense passion for her work and the people DPPC serves. Although we all miss Gail more than words can describe, she has worked tirelessly all of her career and has earned the

opportunity to enjoy more time with her family and three beautiful grandchildren.

We wish Gail all the best in her much earned and deserved retirement!

DPPC Welcomes Julie Howley Westwater Deputy General Counsel



Julie Howley Westwater was hired in October 2013 as a Deputy General Counsel. Julie comes with a wealth of experience having worked as Senior Counsel for the Massachusetts Department of Public Utilities and Deputy Public Defender for San Diego County Department of the Public Defender. Julie spent six years in private practice as well as serving as Captain in the United States Army Intelligence Corps and Massachusetts Air National Guard.

As Senior Counsel for the MA Department of Public Utilities, Julie worked on legal and regulatory policy matters including drafting legally binding and publicly reported decisions in response to filings; presided over adjudicatory hearings; ruled on written and oral motions and objections; drafted orders and advisory opinions; and drafted and issued legal memoranda. While managing a private law practice, Julie represented business and individual clients in civil, criminal and administrative law forums, administrative employment law proceedings, family law disputes, criminal jury trials and real estate transactions. In her term as Public Defender, Julie conducted criminal bench and jury trials; handled arraignments; and drafted and argued motions in district and superior courts.

DPPC will greatly benefit from the knowledge and expertise Julie brings to this position.

DPPC COMMISSIONERS

IN CLOSING

The Commissioners of the Disabled Persons Protection Commission would like to take this opportunity to thank Governor Deval L. Patrick and the House and Senate members for their ongoing commitment and support in protecting adults with disabilities within the Commonwealth of Massachusetts against abuse and neglect. We would also like to recognize and thank the many hard-working men and women who dedicate their work to enhancing the quality of life of people with disabilities. Your dedication is immensely appreciated.



Yndia Lorick-Wilmot, Ph.D.

Yndia Lorick-Wilmot, Ph.D.
Commissioner

Maurice L Medoff

Maurice Medoff
Commissioner

Gail P. Varrasso

Gail Varrasso
Chairperson

The DPPC staff thanks you for taking the time to review DPPC's FY2014 Annual Report. If you have questions or require additional information, please contact the DPPC at (617) 727-6465.

Deval L. Patrick
GOVERNOR

Nancy A. Alterio
EXECUTIVE DIRECTOR

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